

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

NICHOLAS F. BELLEZZA,

Plaintiff

v.

TERRANCE DUFFY, M.D.,

Defendant

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3:17-CV-1884  
(JUDGE MARIANI)

ORDER

AND NOW, THIS  DAY OF SEPTEMBER, 2020, upon *de novo* review of

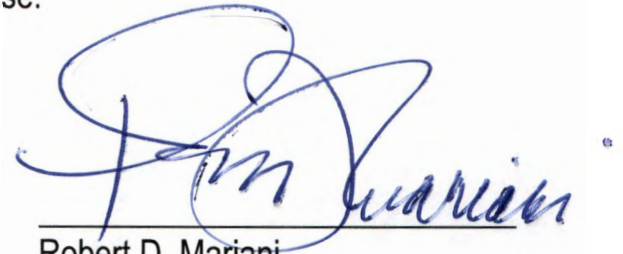
Chief Magistrate Judge Schwab's Report and Recommendation ("R&R") (Doc. 42),

Plaintiff's Objections thereto (Doc. 43), and all other relevant documents, **IT IS HEREBY**

**ORDERED THAT:**

1. The R&R (Doc. 42) is **ADOPTED** for the reasons set forth therein and in this Court's accompanying memorandum opinion.
2. Defendant's Objections (Doc. 43) are **OVERRULED** for the reasons set forth in this Court's accompanying memorandum opinion.
3. Defendant's Motion to Strike Plaintiff's Letter Filed on October 18, 2019 (Doc. 46) is **DENIED**. Plaintiff's letter to the Court (Doc. 45) is largely repetitive of his Objections and, although the letter offers no additional information to support Plaintiff's claims of residency in 2017 in Florida, the Court finds it unnecessary to strike this letter from a *pro se* Plaintiff merely attempting to further bolster his claims.

4. Plaintiff's "Motion to Dismiss Defendant's Letter Filed and Dated on 10/23/2019" (Doc. 48), requesting that Defendant's Motion to Strike (Doc. 46) be dismissed, is **DENIED**.
5. Plaintiff's second Amended Complaint (Doc. 40) is **DISMISSED** for lack of subject matter jurisdiction.
6. The Clerk of Court is directed to **CLOSE** this case.



Robert D. Mariani  
United States District Judge